



# OHIO STATE BOARD OF PHARMACY

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ORDER OF THE STATE BOARD OF PHARMACY  
(Docket No. D-930224-065)

In The Matter Of:

JEROME A. SORGE  
49479 South Park Circle  
East Liverpool, Ohio 43920  
(D.O.B. 09-09-38)

## INTRODUCTION

THE MATTER OF JEROME A. SORGE CAME TO HEARING ON JUNE 29, 1993, BEFORE THE FOLLOWING MEMBERS OF THE BOARD: TIMOTHY D. MOORE, R.Ph. (presiding); ROBERT B. CAVENDISH, R.Ph.; METTA LOU HENDERSON, R.Ph.; PAUL F. LAMPING, R.Ph.; WAYNE C. MILLER, R.Ph.; RUTH A. PLANT, R.Ph.; AND NICHOLAS R. REPKE.

JEROME SORGE WAS NOT REPRESENTED BY COUNSEL, AND THE STATE OF OHIO WAS REPRESENTED BY CINDY MARTIN, ASSISTANT ATTORNEY GENERAL.

## SUMMARY OF EVIDENCE

### (A) Testimony

State's Witnesses:

- (1) George Pavlich, Ohio State Board of Pharmacy
- (2) Jerome A. Sorge, Respondent

Respondent's Witnesses:

- (1) George Pavlich, Ohio State Board of Pharmacy
- (2) Robert Cole, Ohio State Board of Pharmacy

### (B) Exhibits

State's Exhibits:

- (1) Exhibit 1 - Notice of Opportunity letter dated February 24, 1993.
- (2) Exhibit 1A - Hearing Request letter dated March 16, 1993.
- (3) Exhibit 1B - Hearing Schedule letter dated March 25, 1993.
- (4) Exhibit 1C - Continuance Request letter dated April 1, 1993.
- (5) Exhibit 1D - Hearing Schedule letter dated April 7, 1993.
- (6) Exhibit 1E - Hearing Schedule letter dated May 17, 1993.
- (7) Exhibit 1F - Correspondence from Nicholas T. Amato dated May 19, 1993; and Notice of Withdraw of Counsel In Re: Jerome A. Sorge.
- (8) Exhibit 2 - Application for Examination as a Pharmacist of Jerome A. Sorge received in the Board office on February 16, 1993.

- (9) Exhibit 3 - Pharmacist File Front Sheet of Jerome Anthony Sorge showing original date of licensure as August 8, 1960.
- (10) Exhibit 4 - Order of the Ohio State Board of Pharmacy, Docket No. D-880108-133, of Jerome Anthony Sorge, R.Ph. dated July 26, 1988.

Respondent's Exhibits:

- (1) Exhibit AA - Twenty-eight correspondence letters from the following individuals: Charles L. Finley dated May 4, 1993; Thomas R. King dated May 6, 1993; Sister Katherine Davidson dated May 6, 1993; John Keil dated May 6, 1993; Frank Blankenship dated May 7, 1993; Daniel J. Zuppe dated May 10, 1993; Charles B. Lang dated May 10, 1993; Wayne L. King, Sr. dated May 11, 1993; John L. Doherty dated May 17, 1993; Nicholas and Candace Pascuzzi dated May 17, 1993; James H. and Robert R. Lewis dated May 25, 1993; Dr. Lee Rice dated May 18, 1993; James Agich dated May 20, 1993; Jeffrey L. Miller dated May 18, 1993; Jack C. Amato dated May 21, 1993; Justin A. Scarpone dated May 26, 1993; Georgiana E. Bailey dated May 27, 1993; Dennis B. Hanka dated May 31, 1993; Gary L. Phillips dated May 28, 1993; Dr. William G. Bartolovich dated May 29, 1993; John and Sandra Shulas dated June 1, 1993; Jay B. Votaw dated June 2, 1993; two-page letter from Charles T. Augustine dated May 24, 1993; two-page letter from the Richard Smith Family dated May 14, 1993; letter from Carroll Council No. 509, Knights of Columbus, East Liverpool, Ohio dated May 5, 1993; letter from Orlando R. Castro, M.D. dated June 14, 1993; letter from William C. Bartels dated June 9, 1993; and two-page letter from Charles F. Scarlata dated June 14, 1993. One envelope from The Medicine Shoppe, East Liverpool, Ohio, containing two letters from: Theresa A. Headley and Barbara A. Elliott, two newspaper articles from the "Morning Journal"; and a letter to the Editor, from Richard Keith Wolf dated January 19, 1989.

FINDINGS OF FACT

After having heard the testimony, considered the evidence, observed the demeanor of the witnesses, and weighed their credibility, the State Board of Pharmacy finds the following to be fact:

- (1) Records of the Board indicate that Jerome A. Sorge applied for registration as a pharmacist by examination on February 16, 1993. Records further indicate that Jerome A. Sorge was originally licensed as a pharmacist on August 8, 1960 pursuant to examination.
- (2) On or about July 26, 1988, the Ohio State Board of Pharmacy found the following to be fact:
  - (a) Records of the Board reflect that Jerome A. Sorge had been the responsible pharmacist required by Ohio Revised Code Section 4729.55 for Terminal Distributor of Dangerous Drugs License No. 02-126100 since 1983, and that Jerome A. Sorge had actively engaged in the practice of pharmacy at this location since 1983. Records further reflect that Jerome A. Sorge had been the sole owner of that pharmacy since 1983.
  - (b) Jerome A. Sorge did, during 1983, while practicing pharmacy at The Medicine Shoppe, 632 St. Clair Avenue, East Liverpool, Ohio 43920, Terminal Distributor of Dangerous Drugs License No.

02-136100, knowingly sell, on two separate occasions, a total of 600 tablets of Dilaudid 4mg for \$2.00 per tablet to Anthony Feo and/or Ken LNU (last name unknown, purported to be the brother of Anthony Feo - hereinafter referred to as Ken LNU), as follows:

November 1983	Dilaudid 4mg	300 tablets
December 1983	Dilaudid 4mg	300 tablets

The drug Dilaudid 4mg is a prescription drug and Schedule II controlled substance that was sold without valid prescriptions in an amount equal to or exceeding three times the bulk amount as defined in Section 2925.01 of the Ohio Revised Code. Such conduct is in violation of Chapters 3719. and 4729. of the Ohio Revised Code, and is prohibited by Section 2925.03(A)(7) of the Ohio Revised Code.

- (c) Jerome A. Sorge did, during 1984, while practicing pharmacy at the Medicine Shoppe, knowingly sell, on 12 separate occasions, a total of 3,600 tablets of Dilaudid 4mg to Anthony Feo and/or Ken LNU for \$2.00 per tablet, as follows:

January 1984	Dilaudid 4mg	300 tablets
February 1984	Dilaudid 4mg	300 tablets
March 1984	Dilaudid 4mg	300 tablets
April 1984	Dilaudid 4mg	300 tablets
May 1984	Dilaudid 4mg	300 tablets
June 1984	Dilaudid 4mg	300 tablets
July 1984	Dilaudid 4mg	300 tablets
August 1984	Dilaudid 4mg	300 tablets
September 1984	Dilaudid 4mg	200 tablets
October 1984	Dilaudid 4mg	400 tablets
November 1984	Dilaudid 4mg	300 tablets
December 1984	Dilaudid 4mg	300 tablets

The drug Dilaudid 4mg is a prescription drug and Schedule II controlled substance that was sold without valid prescriptions in an amount equal to or exceeding three times the bulk amount as defined in Section 2925.01 of the Ohio Revised Code. Such conduct is in violation of Chapters 3719. and 4729. of the Ohio Revised Code, and is prohibited by Section 2925.03(A)(7) of the Ohio Revised Code.

- (d) Jerome A. Sorge did, during 1985, while practicing pharmacy at the Medicine Shoppe, knowingly sell, on 11 separate occasions, a total of 4,600 tablets of Dilaudid 4mg to Anthony Feo and/or Ken LNU for \$2.00 a tablet, as follows:

January 1985	Dilaudid 4mg	300 tablets
February 1985	Dilaudid 4mg	400 tablets
March 1985	Dilaudid 4mg	400 tablets
April 1985	Dilaudid 4mg	600 tablets
May 1985	Dilaudid 4mg	400 tablets
June 1985	Dilaudid 4mg	400 tablets
July 1985	Dilaudid 4mg	400 tablets

August 1985	Dilaudid 4mg	400 tablets
September 1985	Dilaudid 4mg	400 tablets
October 1985	Dilaudid 4mg	400 tablets
November 1985	Dilaudid 4mg	500 tablets

The drug Dilaudid 4mg is a prescription drug and Schedule II controlled substance that was sold without valid prescriptions in an amount equal to or exceeding three times the bulk amount as defined in Section 2925.01 of the Ohio Revised Code. Such conduct is in violation of Chapters 3719. and 4729. of the Ohio Revised Code, and is prohibited by Section 2925.03(A)(7) of the Ohio Revised Code.

- (e) Jerome A. Sorge did, during 1986, while practicing pharmacy at The Medicine Shoppe, knowingly sell, on 6 separate occasions, a total of 1,600 tablets of Dilaudid 4mg to Anthony Feo and/or Ken LNU for \$2.00 per tablet, as follows:

January 1986	Dilaudid 4mg	100 tablets
February 1986	Dilaudid 4mg	300 tablets
March 1986	Dilaudid 4mg	300 tablets
April 1986	Dilaudid 4mg	300 tablets
June 1986	Dilaudid 4mg	300 tablets
August 1986	Dilaudid 4mg	300 tablets

The drug Dilaudid 4mg is a prescription drug and Schedule II controlled substance that was sold without valid prescriptions in an amount equal to or exceeding three times the bulk amount as defined in Section 2925.01 of the Ohio Revised Code. Such conduct is in violation of Chapters 3719. and 4729. of the Ohio Revised Code, and is prohibited by Section 2925.03(A)(7) of the Ohio Revised Code.

- (f) Jerome A. Sorge did, during 1987, while practicing pharmacy at The Medicine Shoppe, knowingly sell, on 9 separate occasions, a total of 6,180 tablets of Dilaudid 4mg to Anthony Feo for \$2.00 a tablet, as follows:

February 1987	Dilaudid 4mg	500 tablets
May 1987	Dilaudid 4mg	700 tablets
June 1987	Dilaudid 4mg	700 tablets
July 1987	Dilaudid 4mg	900 tablets
August 1987	Dilaudid 4mg	900 tablets
September 1987	Dilaudid 4mg	400 tablets
October 1987	Dilaudid 4mg	500 tablets
November 1987	Dilaudid 4mg	680 tablets
December 1987	Dilaudid 4mg	900 tablets

The drug Dilaudid 4mg is a prescription drug and Schedule II controlled substance that was sold without valid prescriptions in an amount equal to or exceeding three times the bulk amount as defined in Section 2925.01 of the Ohio Revised Code. Such conduct is in violation of Chapters 3719. and 4729. of the Ohio Revised Code, and is prohibited by Section 2925.03(A)(7) of the Ohio Revised Code.

- (g) Jerome A. Sorge did, on or about December 7, 1987, while practicing pharmacy at The Medicine Shoppe, knowingly possess for sale 500 tablets of Dilaudid 4mg, in an unmarked plastic prescription vial in his personal office desk drawer. Jerome A. Sorge admitted to George Pavlich and Bob Cole, employees of the Ohio Board of Pharmacy, that Jerome A. Sorge had diverted the tablets of Dilaudid 4mg from pharmacy stock containers for sale to Anthony Feo for \$2.00 per tablet within the next few days. The drug Dilaudid 4mg is a prescription drug and Schedule II controlled substance that was sold without valid prescriptions in an amount equal to or exceeding three times the bulk amount as defined in Section 2925.01 of the Ohio Revised Code. Such conduct is in violation of Chapters 3719. and 4729. of the Ohio Revised Code, and is prohibited by Section 2925.03(A)(7) of the Ohio Revised Code.
- (h) Jerome A. Sorge did, on or about December 17, 1987, while practicing pharmacy, knowingly possess 164 forged prescriptions at The Medicine Shoppe, to wit:

<u>Rx No.</u>	<u>Date</u>	<u>Drug</u>	<u>Quantity</u>
169193	11/16/83	Dilaudid 4mg	100
169224	11/17/83	Dilaudid 4mg	100
169292	11/18/83	Dilaudid 4mg	100
170714	12/14/83	Dilaudid 4mg	100
170735	12/14/83	Dilaudid 4mg	100
170915	12/19/83	Dilaudid 4mg	100
172148	01/11/84	Dilaudid 4mg	100
172202	01/11/84	Dilaudid 4mg	100
172367	01/14/84	Dilaudid 4mg	100
174158	02/17/84	Dilaudid 4mg	100
174199	02/20/84	Dilaudid 4mg	100
174410	02/22/84	Dilaudid 4mg	100
175390	03/13/84	Dilaudid 4mg	100
175418	03/13/84	Dilaudid 4mg	100
175488	03/14/84	Dilaudid 4mg	100
177029	04/11/84	Dilaudid 4mg	100
177126	04/13/84	Dilaudid 4mg	100
177210	04/16/84	Dilaudid 4mg	100
178713	05/14/84	Dilaudid 4mg	100
178872	05/16/84	Dilaudid 4mg	100
180225	06/13/84	Dilaudid 4mg	100
180296	06/13/84	Dilaudid 4mg	100
180390	06/15/84	Dilaudid 4mg	100
181610	07/11/84	Dilaudid 4mg	100
181614	07/12/84	Dilaudid 4mg	100
181637	07/12/84	Dilaudid 4mg	100
183055	08/13/84	Dilaudid 4mg	100
183253	08/16/84	Dilaudid 4mg	100
183290	08/17/84	Dilaudid 4mg	100
184639	09/12/84	Dilaudid 4mg	100
184681	09/12/84	Dilaudid 4mg	100
185964	10/08/84	Dilaudid 4mg	100
186368	10/15/84	Dilaudid 4mg	100
186597	10/17/84	Dilaudid 4mg	100

JEROME A. SORGE  
Page Six  
Order of the Board

<u>Rx No.</u>	<u>Date</u>	<u>Drug</u>	<u>Quantity</u>
187328	10/31/84	Dilaudid 4mg	100
188093	11/12/84	Dilaudid 4mg	100
188253	11/14/84	Dilaudid 4mg	100
188264	11/15/84	Dilaudid 4mg	100
189657	12/11/84	Dilaudid 4mg	100
189719	12/12/84	Dilaudid 4mg	100
189784	12/12/84	Dilaudid 4mg	100
191435	01/11/85	Dilaudid 4mg	100
191515	01/12/85	Dilaudid 4mg	100
191529	01/14/85	Dilaudid 4mg	100
193062	02/11/85	Dilaudid 4mg	100
193092	02/11/85	Dilaudid 4mg	100
193143	02/12/85	Dilaudid 4mg	100
193228	02/13/85	Dilaudid 4mg	100
194767	03/15/85	Dilaudid 4mg	100
194817	03/15/85	Dilaudid 4mg	100
194919	03/18/85	Dilaudid 4mg	100
194920	03/19/85	Dilaudid 4mg	100
196070	04/10/85	Dilaudid 4mg	100
196118	04/10/85	Dilaudid 4mg	100
196142	04/11/85	Dilaudid 4mg	100
196212	04/12/85	Dilaudid 4mg	100
196604	04/20/85	Dilaudid 4mg	100
196620	04/22/85	Dilaudid 4mg	100
197541	05/10/85	Dilaudid 4mg	100
197606	05/13/85	Dilaudid 4mg	100
197724	05/15/85	Dilaudid 4mg	100
197791	05/15/85	Dilaudid 4mg	100
199156	06/13/85	Dilaudid 4mg	100
199157	06/13/85	Dilaudid 4mg	100
199220	06/14/85	Dilaudid 4mg	100
199282	06/15/85	Dilaudid 4mg	100
200308	07/10/85	Dilaudid 4mg	100
200353	07/10/85	Dilaudid 4mg	100
200583	07/17/85	Dilaudid 4mg	100
200643	07/18/85	Dilaudid 4mg	100
201829	08/14/85	Dilaudid 4mg	100
201845	08/14/85	Dilaudid 4mg	100
201877	08/15/85	Dilaudid 4mg	100
201941	08/16/85	Dilaudid 4mg	100
203043	09/11/85	Dilaudid 4mg	100
203107	09/12/85	Dilaudid 4mg	100
203158	09/13/85	Dilaudid 4mg	100
203235	09/16/85	Dilaudid 4mg	100
204656	10/14/85	Dilaudid 4mg	100
204778	10/16/85	Dilaudid 4mg	100
204837	10/16/85	Dilaudid 4mg	100
204847	10/17/85	Dilaudid 4mg	100
206053	11/11/85	Dilaudid 4mg	100
206108	11/13/85	Dilaudid 4mg	100
206154	11/13/85	Dilaudid 4mg	100
206157	11/14/85	Dilaudid 4mg	100
206270	11/18/85	Dilaudid 4mg	100

JEROME A. SORGE  
Page Seven  
Order of the Board

<u>Rx No.</u>	<u>Date</u>	<u>Drug</u>	<u>Quantity</u>
209258	01/23/86	Dilaudid 4mg	100
210089	02/12/86	Dilaudid 4mg	100
210150	02/13/86	Dilaudid 4mg	100
210465	02/20/86	Dilaudid 4mg	100
211908	03/19/86	Dilaudid 4mg	100
212086	03/26/86	Dilaudid 4mg	100
212087	03/27/86	Dilaudid 4mg	100
212629	04/09/86	Dilaudid 4mg	100
212685	04/10/86	Dilaudid 4mg	100
212840	04/14/86	Dilaudid 4mg	100
215631	06/18/86	Dilaudid 4mg	100
215672	06/18/86	Dilaudid 4mg	100
215723	06/19/86	Dilaudid 4mg	100
217996	08/17/86	Dilaudid 4mg	100
218044	08/19/86	Dilaudid 4mg	100
218088	08/19/86	Dilaudid 4mg	100
225422	02/10/87	Dilaudid 4mg	100
225491	02/10/87	Dilaudid 4mg	100
225493	02/11/87	Dilaudid 4mg	100
225656	02/16/87	Dilaudid 4mg	100
225707	02/17/87	Dilaudid 4mg	100
229234	05/19/87	Dilaudid 4mg	100
229218	05/19/87	Dilaudid 4mg	100
229303	05/20/87	Dilaudid 4mg	100
229264	05/20/87	Dilaudid 4mg	100
229428	05/23/87	Dilaudid 4mg	100
229478	05/26/87	Dilaudid 4mg	100
229448	05/26/87	Dilaudid 4mg	100
230449	06/22/87	Dilaudid 4mg	100
230426	06/22/87	Dilaudid 4mg	100
230480	06/23/87	Dilaudid 4mg	100
230524	06/23/87	Dilaudid 4mg	100
230600	06/24/87	Dilaudid 4mg	100
230547	06/24/87	Dilaudid 4mg	100
230634	06/25/87	Dilaudid 4mg	100
230912	07/03/87	Dilaudid 4mg	100
230989	07/06/87	Dilaudid 4mg	100
231094	07/08/87	Dilaudid 4mg	100
231451	07/16/87	Dilaudid 4mg	100
231409	07/16/87	Dilaudid 4mg	100
231597	07/20/87	Dilaudid 4mg	100
231526	07/20/87	Dilaudid 4mg	100
231605	07/21/87	Dilaudid 4mg	100
231645	07/21/87	Dilaudid 4mg	100
232383	08/12/87	Dilaudid 4mg	100
232431	08/12/87	Dilaudid 4mg	100
232432	08/13/87	Dilaudid 4mg	100
232504	08/15/87	Dilaudid 4mg	100
232558	08/17/87	Dilaudid 4mg	100
232514	08/17/87	Dilaudid 4mg	100
232658	08/20/87	Dilaudid 4mg	100
232729	08/20/87	Dilaudid 4mg	100
232793	08/22/87	Dilaudid 4mg	100

<u>Rx No.</u>	<u>Date</u>	<u>Drug</u>	<u>Quantity</u>
233982	09/24/87	Dilaudid 4mg	100
234038	09/24/87	Dilaudid 4mg	100
234171	09/28/87	Dilaudid 4mg	100
234214	09/30/87	Dilaudid 4mg	100
234277	10/01/87	Dilaudid 4mg	100
234304	10/01/87	Dilaudid 4mg	100
234508	10/05/87	Dilaudid 4mg	100
234509	10/06/87	Dilaudid 4mg	100
234551	10/07/87	Dilaudid 4mg	100
235976	11/11/87	Dilaudid 4mg	100
235939	11/11/87	Dilaudid 4mg	100
236023	11/12/87	Dilaudid 4mg	100
235977	11/12/87	Dilaudid 4mg	100
236225	11/18/87	Dilaudid 4mg	100
236252	11/18/87	Dilaudid 4mg	100
236905	12/07/87	Dilaudid 4mg	100
236941	12/07/87	Dilaudid 4mg	100
237082	12/09/87	Dilaudid 4mg	100
237035	12/09/87	Dilaudid 4mg	100
237046	12/09/87	Dilaudid 4mg	100
237084	12/10/87	Dilaudid 4mg	100
237200	12/14/87	Dilaudid 4mg	100
237313	12/16/87	Dilaudid 4mg	100

Such conduct is in violation of Chapters 3719. and 4729. of the Ohio Revised Code, and is prohibited by Section 2925.23 of the Ohio Revised Code.

- (i) Jerome A. Sorge did, while practicing pharmacy at The Medicine Shoppe, intentionally make forged prescriptions, to wit:

<u>Rx No.</u>	<u>Date</u>	<u>Drug</u>	<u>Quantity</u>
225422	02/10/87	Dilaudid 4mg	100
225491	02/10/87	Dilaudid 4mg	100
225493	02/11/87	Dilaudid 4mg	100
225656	02/16/87	Dilaudid 4mg	100
225707	02/17/87	Dilaudid 4mg	100
229234	05/19/87	Dilaudid 4mg	100
229218	05/19/87	Dilaudid 4mg	100
229303	05/20/87	Dilaudid 4mg	100
229264	05/20/87	Dilaudid 4mg	100
229428	05/23/87	Dilaudid 4mg	100
229478	05/26/87	Dilaudid 4mg	100
229448	05/26/87	Dilaudid 4mg	100
230449	06/22/87	Dilaudid 4mg	100
230426	06/22/87	Dilaudid 4mg	100
230480	06/23/87	Dilaudid 4mg	100
230524	06/23/87	Dilaudid 4mg	100
230600	06/24/87	Dilaudid 4mg	100
230547	06/24/87	Dilaudid 4mg	100
230634	06/25/87	Dilaudid 4mg	100
230912	07/03/87	Dilaudid 4mg	100
230989	07/06/87	Dilaudid 4mg	100
231094	07/08/87	Dilaudid 4mg	100

<u>Rx No.</u>	<u>Date</u>	<u>Drug</u>	<u>Quantity</u>
231451	07/16/87	Dilaudid 4mg	100
231409	07/16/87	Dilaudid 4mg	100
231597	07/20/87	Dilaudid 4mg	100
231526	07/20/87	Dilaudid 4mg	100
231605	07/21/87	Dilaudid 4mg	100
231645	07/21/87	Dilaudid 4mg	100
232383	08/12/87	Dilaudid 4mg	100
232431	08/12/87	Dilaudid 4mg	100
232432	08/13/87	Dilaudid 4mg	100
232504	08/15/87	Dilaudid 4mg	100
232558	08/17/87	Dilaudid 4mg	100
232514	08/17/87	Dilaudid 4mg	100
232658	08/20/87	Dilaudid 4mg	100
232729	08/20/87	Dilaudid 4mg	100
232793	08/22/87	Dilaudid 4mg	100
233982	09/24/87	Dilaudid 4mg	100
234038	09/24/87	Dilaudid 4mg	100
234171	09/28/87	Dilaudid 4mg	100
234214	09/30/87	Dilaudid 4mg	100
234277	10/01/87	Dilaudid 4mg	100
234304	10/01/87	Dilaudid 4mg	100
234508	10/05/87	Dilaudid 4mg	100
234509	10/06/87	Dilaudid 4mg	100
234557	10/07/87	Dilaudid 4mg	100
235976	11/11/87	Dilaudid 4mg	100
235939	11/11/87	Dilaudid 4mg	120
236023	11/12/87	Dilaudid 4mg	120
235977	11/12/87	Dilaudid 4mg	120
236225	11/18/87	Dilaudid 4mg	120
236252	11/18/87	Dilaudid 4mg	100
236905	12/07/87	Dilaudid 4mg	100
236941	12/07/87	Dilaudid 4mg	100
237082	12/09/87	Dilaudid 4mg	120
237035	12/09/87	Dilaudid 4mg	120
237046	12/09/87	Dilaudid 4mg	120
237084	12/10/87	Dilaudid 4mg	120
237200	12/14/87	Dilaudid 4mg	120
237313	12/16/87	Dilaudid 4mg	100

Such conduct is in violation of Chapters 3719. and 4729. of the Ohio Revised Code, as is prohibited by Section 2925.23 of the Ohio Revised Code.

- (j) Jerome A. Sorge did, while practicing pharmacy at The Medicine Shoppe, intentionally make false DEA-222 forms (Narcotic TriPLICATE Order Forms). Jerome A. Sorge admitted to Ohio Board of Pharmacy Investigators George Pavlich and Robert L. Cole, on December 17, 1987, that Jerome A. Sorge used DEA-222 forms to order the drug Dilaudid 4mg, a dangerous drug and Schedule II controlled substance, specifically for the illegal sale by Jerome A. Sorge to Anthony Feo and/or Ken LNU, to wit:

JEROME A. SORGE  
Page Ten  
Order of the Board

<u>Rx No.</u>	<u>Date</u>	<u>Drug</u>	<u>Quantity</u>
N 33404244	01/03/85	Dilaudid 4mg	200
N 33404243	01/11/85	Dilaudid 4mg	100
N 33404242	01/25/85	Dilaudid 4mg	200
N 33404241	02/15/85	Dilaudid 4mg	200
N 33404240	02/27/85	Dilaudid 4mg	200
N 33404239	03/08/85	Dilaudid 4mg	100
N 33404238	03/28/85	Dilaudid 4mg	200
N 33404237	04/05/85	Dilaudid 4mg	100
N 33404236	04/15/85	Dilaudid 4mg	200
N 33404235	04/26/85	Dilaudid 4mg	200
N 33404234	05/06/85	Dilaudid 4mg	200
N 33404233	05/15/85	Dilaudid 4mg	200
N 33404232	05/30/85	Dilaudid 4mg	200
N 33404231	06/13/85	Dilaudid 4mg	200
N 33404230	07/03/85	Dilaudid 4mg	200
R 17706469	07/25/85	Dilaudid 4mg	200
R 17706470	08/05/85	Dilaudid 4mg	200
R 17706471	08/16/85	Dilaudid 4mg	200
R 17706472	09/03/85	Dilaudid 4mg	200
R 17706473	09/11/85	Dilaudid 4mg	200
R 17706474	09/20/85	Dilaudid 4mg	100
R 17706475	10/07/85	Dilaudid 4mg	200
R 17706476	None	Dilaudid 4mg	200
R 17706477	11/07/85	Dilaudid 4mg	200
R 17706478	11/22/85	Dilaudid 4mg	200
R 17706481	01/15/86	Dilaudid 4mg	100
R 17706482	01/25/86	Dilaudid 4mg	100
R 17706489	02/14/86	Dilaudid 4mg	200
R 17706484	03/03/86	Dilaudid 4mg	200
R 17706485	03/21/86	Dilaudid 4mg	200
R 17706486	04/04/86	Dilaudid 4mg	200
R 17706487	04/21/86	Dilaudid 4mg	200
860056595	05/21/86	Dilaudid 4mg	100
860056615	06/05/86	Dilaudid 4mg	100
860056596	06/19/86	Dilaudid 4mg	100
860056597	07/08/86	Dilaudid 4mg	100
860056598	07/28/86	Dilaudid 4mg	100
860056600	08/20/86	Dilaudid 4mg	100
860056602	09/08/86	Dilaudid 4mg	100
860056603	09/29/86	Dilaudid 4mg	100
860056613	02/17/87	Dilaudid 4mg	200
860056614	03/11/87	Dilaudid 4mg	100
860056574	04/23/87	Dilaudid 4mg	300
860056594	05/12/87	Dilaudid 4mg	300
860056575	05/26/87	Dilaudid 4mg	300
860056576	06/05/87	Dilaudid 4mg	300
860056578	06/18/87	Dilaudid 4mg	300
860056579	06/25/87	Dilaudid 4mg	400
860056580	06/30/87	Dilaudid 4mg	500
860056581	07/17/87	Dilaudid 4mg	400
860056582	08/04/87	Dilaudid 4mg	400
860056583	08/10/87	Dilaudid 4mg	300
860056584	08/24/87	Dilaudid 4mg	300
860056585	09/04/87	Dilaudid 4mg	300

<u>Rx No.</u>	<u>Date</u>	<u>Drug</u>	<u>Quantity</u>
860056593	09/22/87	Dilaudid 4mg	300
860056592	10/01/87	Dilaudid 4mg	300
860056586	10/14/87	Dilaudid 4mg	400
860056591	11/04/87	Dilaudid 4mg	300
860056587	11/18/87	Dilaudid 4mg	400
860056588	12/08/87	Dilaudid 4mg	500
860056589	12/16/87	Dilaudid 4mg	400

Such conduct is in violation of Chapters 3719. and 4729. of the Ohio Revised Code, and is prohibited by Section 2925.23 of the Ohio Revised Code.

- (k) Jerome A. Sorge did, on December 17, 1987, while practicing pharmacy at The Medicine Shoppe, intentionally forge a DEA Inventory, to wit: Jerome A. Sorge did, in the presence of Ohio Board of Pharmacy investigators George Pavlich and Robert L. Cole, change the date of a drug document, a DEA required controlled substance inventory, originally dated May 19, 1985, and May 20, 1985, to May 19, 1987, and May 20, 1987. Such conduct is in violation of Chapters 3719. and 4729. of the Ohio Revised Code, and is prohibited by Section 2925.23 of the Ohio Revised Code.
- (3) On or about July 26, 1988, the Ohio State Board of Pharmacy concluded that Jerome A. Sorge was guilty of gross immorality; guilty of dishonesty and unprofessional conduct in the practice of pharmacy; and guilty of willfully violating the provisions of Chapters 2925., 3715., 3719., and 4729. of the Ohio Revised Code. As a result of this conduct, Jerome A. Sorge's license to practice pharmacy in the state of Ohio was revoked.

#### CONCLUSIONS OF LAW

- (1) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that paragraphs (2)(b) through (2)(k), and (3) of the Findings of Fact constitute not being of good moral character and habits as provided in paragraph (C) of Rule 4729-5-04 of the Ohio Administrative Code.
- (2) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that paragraph (3) of the Findings of Fact constitutes having been disciplined by the Ohio State Board of Pharmacy pursuant to Section 4729.16 of the Revised Code as provided in paragraph (E) of Rule 4729-5-04 of the Ohio Administrative Code.

#### ACTION OF THE BOARD

Pursuant to Section 4729.08 of the Ohio Revised Code, the State Board of Pharmacy hereby refuses the issuance of a certificate of registration or an identification card, and therefore denies the Application for Examination as a Pharmacist submitted by Jerome A. Sorge.

THIS ORDER WAS APPROVED BY A VOTE OF THE STATE BOARD OF PHARMACY (Aye-6/Nay-0).

MOTION CARRIED.

SO ORDERED.

JEROME A. SORGE  
Page Twelve  
Order of the Board

It is hereby certified by this Board that the above language is a copy of the Order entered upon its journal in this case.

Section 119.12 of the Revised Code authorizes an appeal from this Order. Such an appeal may be taken to the court of common pleas in the county in which your place of business is located or to said court of the county in which you reside. If you do not have a place of business in Ohio and are not a resident of Ohio, you may appeal to the Court of Common Pleas in Franklin County, Ohio.

Such an appeal, setting forth the order appealed from and the grounds of the appeal, must be commenced by the filing of a Notice of Appeal with the State Board of Pharmacy and the appropriate court within fifteen (15) days after the mailing of this notice and in accordance with the requirements of Section 119.12 of the Revised Code.

BY ORDER OF THE STATE BOARD OF PHARMACY

ORDER MAILED  
AND EFFECTIVE: August 13, 1993

CERTIFIED MAIL  
Return Receipt  
#P 373 708 405

FZW/so

By   
Franklin Z. Wickham, R.Ph., M.S.  
Executive Director

cc: Cindy Martin, Assistant Attorney General



OHIO STATE BOARD OF PHARMACY

65 S. Front Street, Room 504  
Columbus, Ohio 43266-0320  
Telephone: 614/466-4143

03-3-07317

THE STATE BOARD OF PHARMACY  
(Docket No. D-880108-133)

In The Matter Of:

JEROME ANTHONY SORGE, R.Ph.  
48734 Lakeview Circle  
East Liverpool, Ohio 43920

INTRODUCTION

THE MATTER OF JEROME ANTHONY SORGE CAME TO HEARING ON APRIL 19, 1988 BEFORE THE FOLLOWING MEMBERS OF THE BOARD: NORMAN LEIBOW, R.Ph. (presiding); GERALD CLOUSE, R.Ph.; TIMOTHY MOORE, R.Ph.; BETTY NICHOL, R.Ph.; JOSEPH SABINO, R.Ph.; JEROME WIESENHAHN, R.Ph.; AND MELVIN WILCZYNSKI, R.Ph.

JEROME ANTHONY SORGE WAS REPRESENTED BY J. MICHAEL KAPP, AND THE STATE OF OHIO WAS REPRESENTED BY CHRISTOPHER COSTANTINI, ASSISTANT ATTORNEY GENERAL.

SUMMARY OF EVIDENCE

(A) Testimony

State's Witnesses:

- (1) George Pavlich, Ohio Board of Pharmacy
- (2) Robert Cole, Ohio Board of Pharmacy
- (3) Jerome Sorge, R.Ph.

Respondent's Witnesses:

(None)

(B) Exhibits

State's Exhibits:

- (1) Exhibit A - Notice Of Opportunity dated January 8, 1988 in the matter of Jerome A. Sorge, R.Ph.
- (2) Exhibit B - Notice Of Opportunity dated January 8, 1988 in the matter of The Medicine Shoppe.
- (3) Exhibit C - Request for hearing dated February 3, 1988 in the matter of Jerome A. Sorge, R.Ph.
- (4) Exhibit D - Request for hearing dated February 3, 1988 in the matter of The Medicine Shoppe.

- (5) Exhibit E - Hearing schedule letter dated February 8, 1988.
- (6) Exhibit 1- Application for license for store and responsible person cards for 1983 - 1987 showing Jerome Sorge as responsible pharmacist.
- (7) Exhibit 2- R.Ph. renewal cards for 1983 - 1987 showing Jerome Sorge works at The Medicine Shoppe.
- (8) Exhibit 3- Transcription of statements of R.Ph. Sorge.
- (9) Exhibit 4- Forged prescriptions for Dilaudid 4mg for 1983.
- (10) Exhibit 5- Statements of MD's that Rx's are forged.
- (11) Exhibit 6- Forged prescriptions for Dilaudid 4mg for 1984.
- (12) Exhibit 7- Forged prescriptions for Dilaudid 4mg for 1985.
- (13) Exhibit 8- Forged prescriptions for Dilaudid 4mg for 1986.
- (14) Exhibit 9- Forged prescriptions for Dilaudid 4mg for 1987.
- (15) Exhibit 10- Vial of 500 Dilaudid 4mg tablets.
- (16) Exhibit 11- 64 false DEA-222 forms.
- (17) Exhibit 12- DEA inventory for The Medicine Shoppe.
- (18) Exhibit 13 - Copy of business card for Agent George Pavlich which shows the written notice of inspection on bottom of card.

Respondent's Exhibits:

(None)

FINDINGS OF FACT

- (1) The records of the Board reflect that Jerome Anthony Sorge has been the responsible pharmacist required by Ohio Revised Code Section 4729.55 for Terminal Distributor of Dangerous Drugs License No. 02-136100 since 1983, and that Jerome Anthony Sorge has actively engaged in the practice of pharmacy at this location since 1983. The records of the Ohio Board of Pharmacy also reflect that you have been the sole owner of that pharmacy since 1983.
- (2) From the evidence presented, the State Board of Pharmacy finds that Jerome Anthony Sorge did, during 1983 while practicing pharmacy at The Medicine Shoppe, 632 St. Clair Avenue, East Liverpool, Ohio 43920, Terminal Distributor of Dangerous Drugs License No. 02-136100, knowingly sell on two separate occasions a total of 600 tablets of Dilaudid-4mg for \$2.00 per tablet to Anthony Feo and/or Ken LNU (last name unknown, purported to be the brother of Anthony Feo), as follows:

November 1983	Dilaudid-4mg	300 tablets
December 1983	Dilaudid-4mg	300 tablets

The drug Dilaudid-4mg is a prescription drug and Schedule II controlled substance that was sold without valid prescriptions in an amount equal to or exceeding three times the bulk amount as defined in Section 2925.01 of the Ohio Revised Code. Such conduct is in violation of Chapters 3719. and 4729. of the Ohio Revised Code, and is prohibited by Section 2925.03(A)(7) of the Ohio Revised Code.

- (3) From the evidence presented, the State Board of Pharmacy finds that Jerome Anthony Sorge did, during 1984 while practicing pharmacy at The Medicine Shoppe, 632 St. Clair Avenue, East Liverpool, Ohio 43920, Terminal Distributor of Dangerous Drugs License No. 02-136100, knowingly sell on 12 separate occasions a total of 3,600 tablets of Dilaudid-4mg to Anthony Feo and/or Ken LNU (last name unknown, purported to be the brother of Anthony Feo) for \$2.00 a tablet, as follows:

January 1984	Dilaudid-4mg	300 tablets
February 1984	Dilaudid-4mg	300 tablets
March 1984	Dilaudid-4mg	300 tablets
April 1984	Dilaudid-4mg	300 tablets
May 1984	Dilaudid-4mg	300 tablets
June 1984	Dilaudid-4mg	300 tablets
July 1984	Dilaudid-4mg	300 tablets
August 1984	Dilaudid-4mg	300 tablets
September 1984	Dilaudid-4mg	200 tablets
October 1984	Dilaudid-4mg	400 tablets
November 1984	Dilaudid-4mg	300 tablets
December 1984	Dilaudid-4mg	300 tablets

The drug Dilaudid-4mg is a prescription drug and Schedule II controlled substance that was sold without valid prescriptions in an amount equal to or exceeding three times the bulk amount as defined in Section 2925.01 of the Ohio Revised Code. Such conduct is in violation of Chapters 3719. and 4729. of the Ohio Revised Code, and is prohibited by Section 2925.03(A)(7) of the Ohio Revised Code.

- (4) From the evidence presented, the State Board of Pharmacy finds that Jerome Anthony Sorge did, during 1985 while practicing pharmacy at The Medicine Shoppe, 632 St. Clair Avenue, East Liverpool, Ohio 43920, Terminal Distributor of Dangerous Drugs License No. 02-136100, knowingly sell on 11 separate occasions a total of 4,600 tablets of Dilaudid-4mg to Anthony Feo and/or Ken LNU (last name unknown, purported to be the brother of Anthony Feo) for \$2.00 a tablet, as follows:

January 1985	Dilaudid-4mg	300 tablets
February 1985	Dilaudid-4mg	400 tablets
March 1985	Dilaudid-4mg	400 tablets
April 1985	Dilaudid-4mg	600 tablets
May 1985	Dilaudid-4mg	400 tablets
June 1985	Dilaudid-4mg	400 tablets
July 1985	Dilaudid-4mg	400 tablets
August 1985	Dilaudid-4mg	400 tablets
September 1985	Dilaudid-4mg	400 tablets
October 1985	Dilaudid-4mg	400 tablets
November 1985	Dilaudid-4mg	500 tablets

The drug Dilaudid-4mg is a prescription drug and Schedule II controlled substance that was sold without valid prescriptions in an amount equal to or exceeding three times the bulk amount as defined in Section 2925.01 of the Ohio Revised Code. Such conduct is in violation of Chapters 3719. and 4729. of the Ohio Revised Code, and is prohibited by Section 2925.03(A)(7) of the Ohio Revised Code.

- (5) From the evidence presented, the State Board of Pharmacy finds that Jerome Anthony Sorge did, during 1986 while practicing pharmacy at The Medicine Shoppe, 632 St. Clair Avenue, East Liverpool, Ohio 43920, Terminal Distributor of Dangerous Drugs License No. 02-136100, knowingly sell on 6 separate occasions a total of 1,600 tablets of Dilaudid-4mg to Anthony Feo and/or Ken LNU (last name unknown, purported to be the brother of Anthony Feo) for \$2.00 a tablet, as follows:

January 1986	Dilaudid-4mg	100 tablets
February 1986	Dilaudid-4mg	300 tablets
March 1986	Dilaudid-4mg	300 tablets
April 1986	Dilaudid-4mg	300 tablets
June 1986	Dilaudid-4mg	300 tablets
August 1986	Dilaudid-4mg	300 tablets

The drug Dilaudid-4mg is a prescription drug and Schedule II controlled substance that was sold without valid prescriptions in an amount equal to or exceeding three times the bulk amount as defined in Section 2925.01 of the Ohio Revised Code. Such conduct is in violation of Chapters 3719. and 4729. of the Ohio Revised Code, and is prohibited by Section 2925.03(A)(7) of the Ohio Revised Code.

- (6) From the evidence presented, the State Board of Pharmacy finds that Jerome Anthony Sorge did, during 1987 while practicing pharmacy at The Medicine Shoppe, 632 St. Clair Avenue, East Liverpool, Ohio 43920, Terminal Distributor of Dangerous Drugs License No. 02-136100, knowingly sell on 9 separate occasions a total of 6,180 tablets of Dilaudid-4mg to Anthony Feo for \$2.00 a tablet, as follows:

February 1987	Dilaudid-4mg	500 tablets
May 1987	Dilaudid-4mg	700 tablets
June 1987	Dilaudid-4mg	700 tablets
July 1987	Dilaudid-4mg	900 tablets
August 1987	Dilaudid-4mg	900 tablets
September 1987	Dilaudid-4mg	400 tablets
October 1987	Dilaudid-4mg	500 tablets
November 1987	Dilaudid-4mg	680 tablets
December 1987	Dilaudid-4mg	900 tablets

The drug Dilaudid-4mg is a prescription drug and Schedule II controlled substance that was sold without valid prescriptions in an amount equal to or exceeding three times the bulk amount as defined in Section 2925.01 of the Ohio Revised Code. Such conduct is in violation of Chapters 3719. and 4729. of the Ohio Revised Code, and is prohibited by Section 2925.03(A)(7) of the Ohio Revised Code.

- (7) From the evidence presented, the State Board of Pharmacy finds that Jerome Anthony Sorge did, on or about December 17, 1987 while practicing pharmacy at The Medicine Shoppe, 632 St. Clair Avenue, East Liverpool, Ohio, 43920, Terminal Distributor of Dangerous Drugs License No. 02-136100, knowingly possess for sale 500 tablets of Dilaudid-4mg in an unmarked plastic prescription vial in his personal office desk drawer. Jerome Anthony Sorge admitted to George Pavlich and Robert Cole, employees of the Ohio Board of Pharmacy that he had diverted those tablets of Dilaudid-4mg from pharmacy stock containers for sale to Anthony Feo for \$2.00 per tablet within the next few days.

The drug Dilaudid-4mg is a prescription drug and Schedule II controlled substance that was being possessed for sale without a valid prescription in an amount equal to or exceeding three times the bulk amount as defined in Section 2925.01 of the Ohio Revised Code. Such conduct is in violation of Chapters 3719. and 4729. of the Ohio Revised Code, and is prohibited by Sections 2925.03(A)(7) and 3715.64 of the Ohio Revised Code.

- (8) From the evidence presented, the State Board of Pharmacy finds that Jerome Anthony Sorge did, on or about December 17, 1987 while practicing pharmacy, knowingly possess 164 forged prescriptions at The Medicine Shoppe, 632 St. Clair Avenue, East Liverpool, Ohio License No. 02-136100, to wit:

<u>Rx No.</u>	<u>Date On Rx</u>	<u>Drug</u>	<u>Quantity</u>
169193	11-16-83	Dilaudid-4mg	100
169224	11-17-83	Dilaudid-4mg	100
169292	11-18-83	Dilaudid-4mg	100
170714	12-14-83	Dilaudid-4mg	100
170735	12-14-83	Dilaudid-4mg	100
170915	12-19-83	Dilaudid-4mg	100
172148	01-11-84	Dilaudid-4mg	100
172202	01-11-84	Dilaudid-4mg	100
172367	01-14-84	Dilaudid-4mg	100
174158	02-17-84	Dilaudid-4mg	100
174199	02-20-84	Dilaudid-4mg	100
174410	02-22-84	Dilaudid-4mg	100

175390	03-13-84	Dilaudid-4mg	100
175418	03-13-84	Dilaudid-4mg	100
175488	03-14-84	Dilaudid-4mg	100
177029	04-11-84	Dilaudid-4mg	100
177126	04-13-84	Dilaudid-4mg	100
177210	04-16-84	Dilaudid-4mg	100
178713	05-14-84	Dilaudid-4mg	100
178848	05-16-84	Dilaudid-4mg	100
178872	05-16-84	Dilaudid-4mg	100
180225	06-13-84	Dilaudid-4mg	100
180296	06-13-84	Dilaudid-4mg	100
180390	06-15-84	Dilaudid-4mg	100
181610	07-11-84	Dilaudid-4mg	100
181614	07-12-84	Dilaudid-4mg	100
181637	07-12-84	Dilaudid-4mg	100
183055	08-13-84	Dilaudid-4mg	100
183253	08-16-84	Dilaudid-4mg	100
183290	08-17-84	Dilaudid-4mg	100
184639	09-12-84	Dilaudid-4mg	100
184681	09-12-84	Dilaudid-4mg	100
185964	10-08-84	Dilaudid-4mg	100
186368	10-15-84	Dilaudid-4mg	100
186597	10-17-84	Dilaudid-4mg	100
187328	10-31-84	Dilaudid-4mg	100
188093	11-12-84	Dilaudid-4mg	100
188253	11-14-84	Dilaudid-4mg	100
188264	11-15-84	Dilaudid-4mg	100
189657	12-11-84	Dilaudid-4mg	100
189719	12-12-84	Dilaudid-4mg	100
189784	12-12-84	Dilaudid-4mg	100
191435	01-11-85	Dilaudid-4mg	100
191515	01-12-85	Dilaudid-4mg	100
191529	01-14-85	Dilaudid-4mg	100
193062	02-11-85	Dilaudid-4mg	100
193092	02-11-85	Dilaudid-4mg	100
193143	02-12-85	Dilaudid-4mg	100
193228	02-13-85	Dilaudid-4mg	100
194767	03-15-85	Dilaudid-4mg	100
194817	03-15-85	Dilaudid-4mg	100
194919	03-18-85	Dilaudid-4mg	100
194920	03-19-85	Dilaudid-4mg	100

JEROME ANTHONY SORGE, R.Ph.

Page Seven

Order of the Board

196070	04-10-85	Dilaudid-4mg	100
196118	04-10-85	Dilaudid-4mg	100
196142	04-11-85	Dilaudid-4mg	100
196212	04-12-85	Dilaudid-4mg	100
196604	04-20-85	Dilaudid-4mg	100
196620	04-22-85	Dilaudid-4mg	100
197541	05-10-85	Dilaudid-4mg	100
197606	05-13-85	Dilaudid-4mg	100
197724	05-15-85	Dilaudid-4mg	100
197791	05-15-85	Dilaudid-4mg	100
199156	06-13-85	Dilaudid-4mg	100
199157	06-13-85	Dilaudid-4mg	100
199220	06-14-85	Dilaudid-4mg	100
199282	06-15-85	Dilaudid-4mg	100
200308	07-10-85	Dilaudid-4mg	100
200353	07-10-85	Dilaudid-4mg	100
200583	07-17-85	Dilaudid-4mg	100
200643	07-18-85	Dilaudid-4mg	100
201829	08-14-85	Dilaudid-4mg	100
201845	08-14-85	Dilaudid-4mg	100
201877	08-15-85	Dilaudid-4mg	100
201941	08-16-85	Dilaudid-4mg	100
203043	09-11-85	Dilaudid-4mg	100
203107	09-12-85	Dilaudid-4mg	100
203158	09-13-85	Dilaudid-4mg	100
203235	09-16-85	Dilaudid-4mg	100
204656	10-14-85	Dilaudid-4mg	100
204778	10-16-85	Dilaudid-4mg	100
204837	10-16-85	Dilaudid-4mg	100
204847	10-17-85	Dilaudid-4mg	100
206053	11-11-85	Dilaudid-4mg	100
206108	11-13-85	Dilaudid-4mg	100
206154	11-13-85	Dilaudid-4mg	100
206157	11-14-85	Dilaudid-4mg	100
206270	11-18-85	Dilaudid-4mg	100
209258	01-23-86	Dilaudid-4mg	100
210089	02-12-86	Dilaudid-4mg	100
210150	02-13-86	Dilaudid-4mg	100
210465	02-20-86	Dilaudid-4mg	100
211908	03-19-86	Dilaudid-4mg	100
212086	03-26-86	Dilaudid-4mg	100
212087	03-27-86	Dilaudid-4mg	100

212629	04-09-86	Dilaudid-4mg	100
212685	04-10-86	Dilaudid-4mg	100
212840	04-14-86	Dilaudid-4mg	100
215631	06-18-86	Dilaudid-4mg	100
215672	06-18-86	Dilaudid-4mg	100
215723	06-19-86	Dilaudid-4mg	100
217996	08-17-86	Dilaudid-4mg	100
218044	08-19-86	Dilaudid-4mg	100
218088	08-19-86	Dilaudid-4mg	100
225422	02-10-87	Dilaudid-4mg	100
225491	02-10-87	Dilaudid-4mg	100
225493	02-11-87	Dilaudid-4mg	100
225656	02-16-87	Dilaudid-4mg	100
225707	02-17-87	Dilaudid-4mg	100
229234	05-19-87	Dilaudid-4mg	100
229218	05-19-87	Dilaudid-4mg	100
229303	05-20-87	Dilaudid-4mg	100
229264	05-20-87	Dilaudid-4mg	100
229428	05-23-87	Dilaudid-4mg	100
229478	05-26-87	Dilaudid-4mg	100
229448	05-26-87	Dilaudid-4mg	100
230449	06-22-87	Dilaudid-4mg	100
230426	06-22-87	Dilaudid-4mg	100
230480	06-23-87	Dilaudid-4mg	100
230524	06-23-87	Dilaudid-4mg	100
230600	06-24-87	Dilaudid-4mg	100
230547	06-24-87	Dilaudid-4mg	100
230634	06-25-87	Dilaudid-4mg	100
230912	07-03-87	Dilaudid-4mg	100
230989	07-06-87	Dilaudid-4mg	100
231094	07-08-87	Dilaudid-4mg	100
231451	07-16-87	Dilaudid-4mg	100
231409	07-16-87	Dilaudid-4mg	100
231597	07-20-87	Dilaudid-4mg	100
231526	07-20-87	Dilaudid-4mg	100
231605	07-21-87	Dilaudid-4mg	100
231645	07-21-87	Dilaudid-4mg	100
232383	08-12-87	Dilaudid-4mg	100
232431	08-12-87	Dilaudid-4mg	100
232432	08-13-87	Dilaudid-4mg	100
232504	08-15-87	Dilaudid-4mg	100
232558	08-17-87	Dilaudid-4mg	100
232514	08-17-87	Dilaudid-4mg	100
232658	08-20-87	Dilaudid-4mg	100
232729	08-20-87	Dilaudid-4mg	100
232793	08-22-87	Dilaudid-4mg	100

233982	09-24-87	Dilaudid-4mg	100
234038	09-24-87	Dilaudid-4mg	100
234171	09-28-87	Dilaudid-4mg	100
234214	09-30-87	Dilaudid-4mg	100
234277	10-01-87	Dilaudid-4mg	100
234304	10-01-87	Dilaudid-4mg	100
234508	10-05-87	Dilaudid-4mg	100
234509	10-06-87	Dilaudid-4mg	100
234551	10-07-87	Dilaudid-4mg	100
235976	11-11-87	Dilaudid-4mg	100
235939	11-11-87	Dilaudid-4mg	120
236023	11-12-87	Dilaudid-4mg	120
235977	11-12-87	Dilaudid-4mg	120
236225	11-18-87	Dilaudid-4mg	120
236252	11-18-87	Dilaudid-4mg	100
236905	12-07-87	Dilaudid-4mg	100
236941	12-07-87	Dilaudid-4mg	100
237082	12-09-87	Dilaudid-4mg	120
237035	12-09-87	Dilaudid-4mg	120
237046	12-09-87	Dilaudid-4mg	120
237084	12-10-87	Dilaudid-4mg	120
237200	12-14-87	Dilaudid-4mg	120
237313	12-16-87	Dilaudid-4mg	100

Such conduct is in violation of Chapters 3719. and 4729. of the Ohio Revised Code, and is prohibited by Section 2925.23 of the Ohio Revised Code.

- (9) From the evidence presented, the State Board of Pharmacy finds that Jerome Anthony Sorge did, while practicing pharmacy at The Medicine Shoppe, 632 St. Clair Avenue, East Liverpool, Ohio 43920, Terminal Distributor of Dangerous Drugs License No. 02-136100, intentionally make forged prescriptions, to wit:

<u>Rx No.</u>	<u>Rx Date</u>	<u>Drug</u>	<u>Quantity</u>
225422	02-10-87	Dilaudid-4mg	100
225491	02-10-87	Dilaudid-4mg	100
225493	02-11-87	Dilaudid-4mg	100
225656	02-16-87	Dilaudid-4mg	100
225707	02-17-87	Dilaudid-4mg	100
229234	05-19-87	Dilaudid-4mg	100
229218	05-19-87	Dilaudid-4mg	100
229303	05-20-87	Dilaudid-4mg	100
229264	05-20-87	Dilaudid-4mg	100
229428	05-23-87	Dilaudid-4mg	100
229478	05-26-87	Dilaudid-4mg	100
229448	05-26-87	Dilaudid-4mg	100

230449	06-22-87	Dilaudid-4mg	100
230426	06-22-87	Dilaudid-4mg	100
230480	06-23-87	Dilaudid-4mg	100
230524	06-23-87	Dilaudid-4mg	100
230600	06-24-87	Dilaudid-4mg	100
230547	06-24-87	Dilaudid-4mg	100
230634	06-25-87	Dilaudid-4mg	100
230912	07-03-87	Dilaudid-4mg	100
230989	07-06-87	Dilaudid-4mg	100
231094	07-08-87	Dilaudid-4mg	100
231451	07-16-87	Dilaudid-4mg	100
231409	07-16-87	Dilaudid-4mg	100
231597	07-20-87	Dilaudid-4mg	100
231526	07-20-87	Dilaudid-4mg	100
231605	07-21-87	Dilaudid-4mg	100
231645	07-21-87	Dilaudid-4mg	100
232383	08-12-87	Dilaudid-4mg	100
232431	08-12-87	Dilaudid-4mg	100
232432	08-13-87	Dilaudid-4mg	100
232504	08-15-87	Dilaudid-4mg	100
232558	08-17-87	Dilaudid-4mg	100
232514	08-17-87	Dilaudid-4mg	100
232658	08-20-87	Dilaudid-4mg	100
232729	08-20-87	Dilaudid-4mg	100
232793	08-22-87	Dilaudid-4mg	100
233982	09-24-87	Dilaudid-4mg	100
234038	09-24-87	Dilaudid-4mg	100
234171	09-28-87	Dilaudid-4mg	100
234214	09-30-87	Dilaudid-4mg	100
234277	10-01-87	Dilaudid-4mg	100
234304	10-01-87	Dilaudid-4mg	100
234508	10-05-87	Dilaudid-4mg	100
234509	10-06-87	Dilaudid-4mg	100
234557	10-07-87	Dilaudid-4mg	100
235976	11-11-87	Dilaudid-4mg	100
235939	11-11-87	Dilaudid-4mg	120
236023	11-12-87	Dilaudid-4mg	120
235977	11-12-87	Dilaudid-4mg	120
236225	11-18-87	Dilaudid-4mg	120
236252	11-18-87	Dilaudid-4mg	100
236905	12-07-87	Dilaudid-4mg	100
236941	12-07-87	Dilaudid-4mg	100
237082	12-09-87	Dilaudid-4mg	120
237035	12-09-87	Dilaudid-4mg	120
237046	12-09-87	Dilaudid-4mg	120
237084	12-10-87	Dilaudid-4mg	120
237200	12-14-87	Dilaudid-4mg	120
237313	12-16-87	Dilaudid-4mg	100

Such conduct is in violation of Chapters 3719. and 4729. of the Ohio Revised Code, and is prohibited by Section 2925.23 of the Ohio Revised Code.

- (10) From the evidence presented, the State Board of Pharmacy finds that Jerome Anthony Sorge did, while practicing pharmacy at The Medicine Shoppe, 632 St. Clair Avenue, East Liverpool, Ohio 43920, Terminal Distributor of Dangerous Drugs License No. 02-136100, intentionally make false DEA-222 forms (Narcotic Triplicate Order Forms). Jerome Anthony Sorge admitted to Ohio Board of Pharmacy Investigators George Pavlich and Robert L. Cole on December 17, 1987 that he used DEA-222 forms to order the drug Dilaudid-4mg, a dangerous drug and Schedule II controlled substance, specifically for the illegal sale by Mr. Sorge to Anthony Feo and/or Ken LNU (last name unknown and alleged to be Ken the brother of Anthony Feo), to wit:

<u>Form No.</u>	<u>Date Written</u>	<u>Drug</u>	<u>Quantity</u>
N 33404244	01-03-85	Dilaudid-4mg	200
N 33404243	01-11-85	Dilaudid-4mg	100
N 33404242	01-25-85	Dilaudid-4mg	200
N 33404241	02-15-85	Dilaudid-4mg	200
N 33404240	02-27-85	Dilaudid-4mg	200
N 33404239	03-08-85	Dilaudid-4mg	100
N 33404238	03-28-85	Dilaudid-4mg	200
N 33404237	04-05-85	Dilaudid-4mg	100
N 33404236	04-15-85	Dilaudid-4mg	200
N 33404235	04-26-85	Dilaudid-4mg	200
N 33404234	05-06-85	Dilaudid-4mg	200
N 33404233	05-15-85	Dilaudid-4mg	200
N 33404232	05-30-85	Dilaudid-4mg	200
N 33404231	06-13-85	Dilaudid-4mg	200
N 33404230	07-03-85	Dilaudid-4mg	200
R 17706469	07-25-85	Dilaudid-4mg	200
R 17706470	08-05-85	Dilaudid-4mg	200
R 17706471	08-16-85	Dilaudid-4mg	200
R 17706472	09-03-85	Dilaudid-4mg	200
R 17706473	09-11-85	Dilaudid-4mg	200
R 17706474	09-20-85	Dilaudid-4mg	100
R 17706475	10-07-85	Dilaudid-4mg	200
R 17706476	None	Dilaudid-4mg	200
R 17706477	11-07-85	Dilaudid-4mg	200
R 17706478	11-22-85	Dilaudid-4mg	200
R 17706481	01-15-86	Dilaudid-4mg	100
R 17706482	01-25-86	Dilaudid-4mg	100
R 17706489	02-14-86	Dilaudid-4mg	200
R 17706484	03-03-86	Dilaudid-4mg	200
R 17706485	03-21-86	Dilaudid-4mg	200

R 17706486	04-04-86	Dilaudid-4mg	200
R 17706487	04-21-86	Dilaudid-4mg	200
860056595	05-21-86	Dilaudid-4mg	100
860056615	06-05-86	Dilaudid-4mg	100
860056596	06-19-86	Dilaudid-4mg	100
860056597	07-08-86	Dilaudid-4mg	100
860056598	07-28-86	Dilaudid-4mg	100
860056600	08-20-86	Dilaudid-4mg	100
860056602	09-08-86	Dilaudid-4mg	100
860056603	09-29-86	Dilaudid-4mg	100
860056613	02-17-87	Dilaudid-4mg	200
860056614	03-11-87	Dilaudid-4mg	100
860056574	04-23-87	Dilaudid-4mg	300
860056594	05-12-87	Dilaudid-4mg	300
860056575	05-26-87	Dilaudid-4mg	300
860056576	06-05-87	Dilaudid-4mg	300
860056578	06-18-87	Dilaudid-4mg	300
860056579	06-25-87	Dilaudid-4mg	400
860056580	06-30-87	Dilaudid-4mg	500
860056581	07-17-87	Dilaudid-4mg	400
860056582	08-04-87	Dilaudid-4mg	400
860056583	08-10-87	Dilaudid-4mg	300
860056584	08-24-87	Dilaudid-4mg	300
860056585	09-04-87	Dilaudid-4mg	300
860056593	09-22-87	Dilaudid-4mg	300
860056592	10-01-87	Dilaudid-4mg	300
860056586	10-14-87	Dilaudid-4mg	400
860056591	11-04-87	Dilaudid-4mg	300
860056587	11-18-87	Dilaudid-4mg	400
860056588	12-08-87	Dilaudid-4mg	500
860056589	12-16-87	Dilaudid-4mg	400

Such conduct is in violation of Chapters 3719. and 4729. of the Ohio Revised Code, and is prohibited by Section 2925.23 of the Ohio Revised Code.

- (11) From the evidence presented, the State Board of Pharmacy finds that Jerome Anthony Sorge did, on December 17, 1987 while practicing pharmacy at The Medicine Shoppe, 632 St. Clair Avenue, East Liverpool, Ohio 43920, Terminal Distributor of Dangerous Drugs License No. 02-136100, intentionally forge a DEA Inventory, to wit: Jerome Anthony Sorge did, in the presence of Ohio Board of Pharmacy Investigators George Pavlich and Robert L. Cole, change the date of a drug document, a DEA required controlled substance inventory, originally dated May 19, 1985 and May 20, 1985 to May 19, 1987 and May 20, 1987. Such conduct is in violation of Chapters 3719. and 4729. of the Ohio Revised Code, and is prohibited by Section 2925.23 of the Ohio Revised Code.

CONCLUSIONS OF LAW

- (1) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that the conduct set forth in paragraphs (2) through (11) of the Findings Of Fact constitutes gross immorality.
- (2) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that the conduct set forth in paragraphs (2) through (11) of the Findings Of Fact constitutes dishonesty and unprofessional conduct in the practice of pharmacy.
- (3) Upon consideration of the record as a whole, the State Board of Pharmacy concludes that the conduct set forth in paragraphs (2) through (11) of the Findings Of Fact constitutes willful violations of the provisions of Chapters 2925., 3715., 3719., and 4729. of the Ohio Revised Code.

ORDER

Pursuant to Section 4729.16 of the Ohio Revised Code, the State Board of Pharmacy takes the following actions concerning the pharmacist license, No. 03-3-07317, held by Jerome Anthony Sorge:

(A) On the basis of paragraph (1) of the Conclusions Of Law set forth above, the State Board of Pharmacy hereby revokes the pharmacist identification card held by Jerome Anthony Sorge.

(B) On the basis of paragraph (2) of the Conclusions Of Law set forth above, the State Board of Pharmacy hereby revokes the pharmacist identification card held by Jerome Anthony Sorge.

(C) On the basis of paragraph (3) of the Conclusions Of Law set forth above, the State Board of Pharmacy hereby revokes the pharmacist identification card held by Jerome Anthony Sorge.

Division (B) of Section 4729.16 of the Revised Code provides in pertinent part that: "Any individual whose identification card is revoked, . . . , shall return his identification card and certificate of registration to the offices of the state board of pharmacy within ten days after receipt of notice of such action." The certificate and identification card should be forwarded by certified mail, return receipt requested.

THIS ORDER WAS APPROVED BY A VOTE OF THE STATE BOARD OF PHARMACY.

MOTION CARRIED.

SO ORDERED.

It is hereby certified by this Board that the above language is a copy of the Order entered upon its journal in this case.

JEROME ANTHONY SORGE, R.Ph.  
Page Fourteen  
Order of the Board

Section 119.12 of the Revised Code authorizes an appeal from this Order. Such an appeal may be taken to the court of common pleas in the county in which your place of business is located or to said court of the county in which you reside. If you do not have a place of business in Ohio and are not a resident of Ohio, you may appeal to the Court of Common Pleas in Franklin County, Ohio.

Such an appeal, setting forth the order appealed from and the grounds of the appeal, must be commenced by the filing of a Notice of Appeal with the State Board of Pharmacy and the appropriate court within fifteen (15) days after the mailing of this notice and in accordance with the requirements of Section 119.12 of the Revised Code.

BY ORDER OF THE STATE BOARD OF PHARMACY

CERTIFIED MAIL  
Return Receipt

ORDER ISSUED: July 26, 1988

FZW/sb

By



Franklin W. Wickham, Executive Director

cc: Christopher Costantini, Assistant Attorney General  
J. Michael Kapp, Attorney For Respondent